

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN ROBERT DEMOS, JR.,

Plaintiff,

v.

CASE NO. 2:15-CV-12432
HONORABLE GERALD E. ROSEN

STATE OF MICHIGAN, et al.,

Defendants.

OPINION AND ORDER OF SUMMARY DISMISSAL

I. Introduction

Plaintiff John Robert Demos, Jr., a prisoner confined in Washington State has filed a pro se civil complaint under admiralty law and other federal provisions claiming that he was illegally kidnapped and transported across multiple state lines in 1974. He has not paid the filing fee (\$350.00) or the administrative fee (\$50.00) for this action. Consequently, the Court shall construe his complaint as a request to proceed in forma pauperis, *i.e.*, without prepayment of the fees for this case. *See, e.g., Sango v. Grand*, No. 2:14-CV-14060, 2014 WL 5511812, *1 (E.D. Mich. Oct. 31, 2014) (Tarnow, J.); *Corrion v. State Treasurer*, No. 2:12-CV-15101, 2012 WL 5990119, *1 (E.D. Mich. Nov. 30, 2012) (Edmunds, J.). Because Plaintiff has been enjoined from filing lawsuits in this Court without first obtaining leave of the presiding judge, and such leave has not been requested nor granted, the Court shall dismiss the complaint.

II. Discussion

Plaintiff is a frequent filer of civil rights complaints, habeas petitions, and other federal

lawsuits throughout the country. He has filed hundreds of actions in federal court and is a three-striker under 28 U.S.C. § 1915(g) who is not allowed to proceed in forma pauperis in federal court under most circumstances. *See, e.g., Demos v. Stabenow*, No. 03-CV-60222-AA (E.D. Mich. Nov. 12, 2003) (Battani, J.) (revoking in forma pauperis status and dismissing the complaint pursuant to § 1915(g)). Moreover, due to his history of filing frivolous actions in federal court, Plaintiff has been enjoined from filing in forma pauperis complaints in this District without prior leave of court. *See Demos v. United States*, No. 2:08-CV-13965, (E.D. Mich. Sept. 24, 2008) (Steeh, J). Plaintiff has neither requested nor obtained permission from the Court to proceed in forma pauperis and file the instant complaint. Consequently, the Court finds that Plaintiff is barred from initiating this action such that his complaint must be dismissed.

III. Conclusion

For the reasons stated, the Court finds that Plaintiff is enjoined from filing in forma pauperis complaints in this District and that he has neither requested nor obtained permission to institute this action. Accordingly, the Court **DISMISSES** his civil complaint. Lastly, the Court concludes that an appeal from this order would be frivolous and cannot be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 445 (1962).

IT IS SO ORDERED.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: July 23, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 23, 2015, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135